

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

LAKE COUNTY PLASTERERS AND	)	
CEMENT MASONS FRINGE BENEFIT	)	
FUNDS, <i>et al.</i> ,	)	
	)	CIVIL ACTION
Plaintiffs,	)	
	)	NO. 07 C 6515
vs.	)	
	)	JUDGE GEORGE W. LINDBERG
KEVCO, INC., a Wisconsin corporation,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF DEFAULT AND JUDGMENT**

NOW COME Plaintiffs, by their attorneys, and move for entry of judgment by default against Defendant, KEVCO, INC., a Wisconsin corporation, in the total amount of \$8,022.00, plus Plaintiffs' costs and reasonable attorneys' fees in the amount of \$543.00.

On November 28, 2008, the Summons and Complaint was served on the Registered Agent by tendering a copy of said documents to him, personally, at his place of business (a copy of the Summons and Affidavit of Service is attached hereto). Therefore, Defendant's answer was due on December 18, 2007. As Defendant has failed to timely answer the Complaint, Plaintiffs respectfully request entry of default and judgment.

/s/ Cecilia M. Scanlon

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

LAKE COUNTY PLASTERERS AND  
CEMENT MASONS FRINGE BENEFIT  
FUNDS, *et al.*

v.

KEVCO, INC., a Wisconsin corporation

Declar. Number: \_\_\_\_\_

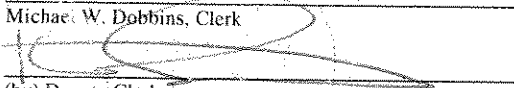
07CV6515  
JUDGE LINDBERG  
MAGISTRATE JUDGE COX

TO: Kevco, Inc.  
c/o Kevin A. Powalisz, Registered Agent  
6418 South Howell Avenue  
Oak Creek, WI 53154

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFFS' ATTORNEYS:

Catherine M. Chapman  
Beverly P. Alfon  
Cecilia M. Scanlon  
BAUM SIGMAN AUERBACH & NEUMAN, LTD.  
200 West Adams Street, Suite 2200  
Chicago, IL 60606-5231  
(312) 236-4316

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

  
Michael W. Dobbins, Clerk

(by) Deputy Clerk

NOV 16 2007

\_\_\_\_\_  
Date

## AFFIDAVIT OF SERVICE

[ ] Milwaukee Co. [ ] Racine Co. [ ] Kenosha Co. [ ] Waukesha Co. [ ] Washington Co. [ ] \_\_\_\_\_ Co.

STATE OF WISCONSIN  
Milwaukee County} ss

Case No. 07 CV 6515

Court Date: 20 DAYS

Document(s) attached: ☒ Summons ☒ Complaint ☐ Summons & Complaint ☐ Subpoena ☐ Order to Appear before a Court Commissioner  
☐ Order ☐ Motion ☐ Order to Show Cause ☐ Subpoena Duces Tecum ☐ Check in the amount of \$ \_\_\_\_\_ Travel or Witness Fee

Other \_\_\_\_\_

## Corporate Service

I, GARY H. DAWLEY, being duly sworn on oath, state I am an adult resident of this State. I am not a party to the legal action of the attached document(s) which was/were served upon the below named party and endorsed as required by Wis. Stats. 801(10)(2).

KEUGO, INC. and leaving with

KEVIN POWALISZ  
☐ Officer ☒ Registered Agent ☐ Person Apparently in Charge ☐ Managing Agent ☐ Authorized Agent ☐ Person Design to Receive Legal Process

Address 6418 South Howell [ ] City of Milwaukee or OAK CREEK WI.

on the 28th day of November 2007 9:00 a.m. [ ] p.m. a true and correct copy of the said documents informing him of the contents thereof of.

Garnishee Service ☐ Earnings ☐ Non Earnings

I, \_\_\_\_\_, as an agent for State process Service, Inc. being duly sworn on oath state that I am an adult resident of the State of Wisconsin and that I am not a party to the action to which this affidavit is attached. I further swear that I did serve the above identified attached document in the above entitled action, hereto annexed, upon the named garnishee identified as:

\_\_\_\_\_ by leaving with \_\_\_\_\_  
 Address \_\_\_\_\_ [ ] City of Milwaukee or [ ] \_\_\_\_\_ WI

person in charge, personally, a true and correct (authenticated) copy thereof paying \_\_\_\_\_ the legal fee of \$ \_\_\_\_\_ at \_\_\_\_\_ [ ] a.m. [ ] p.m.  
 on the \_\_\_\_\_ of \_\_\_\_\_ 2007

## Court Commissioner Service

I, \_\_\_\_\_, as an agent for State Process service, Inc. being duly sworn on oath state that I am an adult resident of the State of Wisconsin and that I am not a party to the action to which this affidavit is attached. I further swear that I did serve the above identified attached document in the above entitled action by delivering to and leaving with \_\_\_\_\_ a true and correct

(authenticated) copy thereof exhibiting to \_\_\_\_\_ the original signed by the Honorable \_\_\_\_\_ [ ] Judge [ ] Court Commissioner

at Address \_\_\_\_\_ [ ] City of Milwaukee or [ ] \_\_\_\_\_ WI

on the \_\_\_\_\_ day of \_\_\_\_\_ 2007 at \_\_\_\_\_ [ ] a.m. [ ] p.m.

Subscribed and sworn to before me this 28

day of Nov 2007

Notary Public

My Commission expires: 10/1/2010

STATE PROCESS SERVICE, INC.

\_\_\_\_\_ OF \_\_\_\_\_ AFFIDAVITS

Fee for Service: \_\_\_\_\_

Fees: Mileage \_\_\_\_\_ @ \_\_\_\_\_ / mile: \_\_\_\_\_

Fees: Hourly \_\_\_\_\_ @ \$ \_\_\_\_\_ /hr \_\_\_\_\_

Special Fees: \_\_\_\_\_

TOTAL FEES: \$ 2500

**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Default and Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 16th day of January 2008:

Mr. Kevin A. Powalisz, Registered Agent  
Kevco, Inc.  
6418 South Howell Avenue  
Oak Creek, WI 53154

/s/ Cecilia M. Scanlon \_\_\_\_\_

Cecilia M. Scanlon  
Attorney for Plaintiffs  
BAUM SIGMAN AUERBACH & NEUMAN, LTD.  
200 West Adams Street, Suite 2200  
Chicago, IL 60606-5231  
Bar No.: 6288574  
Telephone: (312) 236-4316  
Facsimile: (312) 236-0241  
E-Mail: [cscanlon@baumsigman.com](mailto:cscanlon@baumsigman.com)